



410.019

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: : L. Di Nola-Baton  
L. HEUX et al :  
Serial No.: 10/018,326 : Group: 1615  
Filed: December 10, 2001 :  
For: MICROFIBRILLATED...SOLVENT :

475 Park Avenue South  
New York, N.Y. 10016  
August 2, 2004

**PETITION TO WITHDRAW NOTICE OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail, Mailing Label 123  
Date of Deposit: Aug 4, 2004  
I hereby certify that the enclosed is a true and correct copy of the Notice of Abandonment dated November 4, 2003, and that the same is being delivered to the Addressee by the United States Postal Service, First Class, Registered Mail, Return Receipt requested, service on 8/27/04 1:10 PM, as indicated above and is enclosed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Sir:

Applicants in the above application ask that the Notice of Abandonment dated July 6, 2004 be withdrawn since the Applicants never received the office action of November 4, 2003.

Applicants had not received any response to their status letter of November 27, 2002 and the undersigned attorney was following up by telephone with the Examiner handling the application in May of 2003 and was informed that she would not act on the application for another three months. Another follow up with the Examiner near the end of September of 2003 resulted in the Examiner indicating that it would be another month or two before she reached the same. The undersigned followed up in June of 2004 with the Patent Office and was informed that the Examiner who had been handling the application had left the Patent Office and that an office action on November 4, 2003 had

been issued. The same was never received by the undersigned's law firm as can be seen from the copies of the pages in early November 2003 of their log book submitted herewith.

The undersigned informed the Patent Office that the November 4, 2003 office action had never been received and requested the Patent Office to telefax a copy of the said office action which was effected by Carols A. Azpuru on June 28, 2004 at which time, the office action was immediately forwarded to the client and a draft response was submitted to the client on June 30, 2004. The present petition and amendment were prepared and filed. Therefore, under these circumstances, it is requested that the application be reinstated since Applicants never received the office action and could not timely respond thereto. Moreover, Applicants were diligent in following up with the Patent Office concerning the same. PTO Form-2038 is enclosed herewith authorizing the \$130.00 petition fee.

Respectfully submitted,  
Muserlian, Lucas and Mercanti



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Charles A. Muserlian, 19,683  
Attorney for Applicants  
Tel.# (212) 661-8000

CAM:ds  
Enclosures

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188.542 updated FR  
523.1023 -PCT Not Record. change  
Su2-22 New-Capliant Aust  
RWH-329 3 Assign  
302.113 7 1/2 pd  
302.109 7 1/2 pd  
302.099-DIV 7 1/2 pd  
219.1003 Not of Pub.  
KEN-1807 FR  
427.076 FR + accept-  
428.1010-DIV Corrected FR  
Tsu-37 Corrected FR  
454.002 updated FR  
Sum-25 abandoned  
Liberty Branch abandoned  
Nov. 5, 03  
G-LA-53-DIV-1 adv action  
427.053 IF  
213.1077-CRNL Not of transmittal  
Su2-28 Assign.  
SWS-200A Patent  
JES-2 Pub.  
Nov. 6, 03



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TSU-35-DIV-2

209, 1001

267, 166

428, 1029

KON-1766

KON-1781

KON-1786

KON-178X

WAS-X9

310, 1034

188, 537

146, 1391

188, 515

1029, 1004

213, 1123-PCT

FE5-2-CIP

213, 1147-U

GS-094

KON-1749

Nov 7, 03

KON-1732

446, 023

KON-1797

GMA-27

DA

Change of Power

Proposed Rule

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Revised Rule

updated FR

Publication

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BDL-53

KON-1711

213-1171

KON-1803

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146-1373

368-105

146-1346-RE

Nov 10, 03

KON-1793

BRK-1

KON-1800

410-016

0209-1003

Liberty Bonds

0123-1005

KON-1796

802-29

428-1030

188-346

Nov 11, 03

707-1003-FC - Not re PD

DA 30

Patent

FR updated

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admission

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DA

Incomplete

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Payment of fees

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Not. of acceptance

Cert. of Reg.

Nov. 12, 03

102.174 DA

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622-182 8x15 OK

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Renewal OK

213.1195-RET

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368.067

abandon.

Nov. 13, 03

456.001 DA

Nov. 14, 03

427.071

Revised Pub.

522.1222

Publication

KON-1790

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tem-55A-1

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CUC-47

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188.479

Patent

CEI-097

Revised Pub.

302.135

Revised Pub.

446.027

FR + accept.

Nov. 17, 03

427.079

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428.1035

LIP-3

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CUC-TM-79

267.159-DIV

KON-1809

GMA-31

KON-1704

SW-TM-145

KON-1810

708.1002-PCT

427.025-1-DIV-1

RUTH-284

LIP-4

KON-1808

RUTH-328

KON-1724

KON-1815

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707.1003-PCT

Nov 18, 03

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Existed offices

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Nov 18, 03

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